

## **REMARKS**

### **I. Status of the Claims**

Claims 1-4 are pending.

Claim 1 is amended.

Claim 5 is new.

### **II. Pending Claims Satisfy 35 U.S.C. § 112**

The Examiner notes on page 2 of the Office Action that claims 1-4 rejected under 35 U.S.C. 112, second paragraph.

Claim 1 has been amended to claim “a wrapping”.

Claim 1 has been amended to claim a “first solid cylindrical portion”, a “second solid cylindrical portion”, “a first ribbed portion”, a “second ribbed portion” and a “first plurality of sixteen ribs” and a “second plurality of sixteen ribs”.

In claim 2, “said wrapping” has sufficient antecedent basis, due to the amendment of claim 1.

### **III. Claim Rejections Under 35 USC § 103**

The Examiner rejects claims 1, 2 and 4 under 35 USC § 103 as being unpatentable under U.S. Patent Number 5,727,751 in view of U.S. Patent Number 4,759,510.

Applicant respectfully asserts that the rejection under 35 USC § 103 is improper. Examiner states that Singer teaches forming scent releasing elements as beads having scented oil over them. Singer, in column 2 lines 43-46 disclose micro-porous material impregnated with a desired slowly evaporating scent. The micro-porous material in Singer absorbs scent into the micro-porous material which is distinct from the present invention. The present invention incorporates scent via two means in relation to the beads. First, the bead has an overlay of scented oil. Second, the present invention has a bead wherein, the bead itself is scented. The micro-porous material (the bead) of Singer is not scented. Rather, the oil is scented. Therefore, a time release benefit is achieved by firstly, the overlay of scent being released from the oil and

then progressing to the release of the scent contained as part of the bead. Based on the above argument, Applicant respectfully requests the Examiner to withdraw the 35 USC § 103 rejection presented based on Singer and Liu. In addition, it is based on the arguments presented herein, Applicant argues the patentability of new claim 5.


Furthermore, the Examiner rejects claim 2 as being unpatentable over Liu in view of Singer and further in view of Mount (Converting Magazine - Metallized Film Barriers: Where to Next?). Applicant notes the disclosure of Mount is used and refers to a completely differing industry than toilet paper dispensing. The metallized films disclosed in Mount are used in the food industry and there is not suggestion or teaching to use metallized films for toilet paper dispense. Further, to date, the state of the art in the toilet paper dispense industry is to use clam shell plastic packaging. Given the absence of any teaching to use the metallized film to the present invention, Applicant respectfully requests the Examiner to withdraw this 35 USC § 103 rejection.

#### IV. Summary

Applicant respectfully requests favorable reconsideration of the present application based on the formal amendments and remarks set forth herein.

Applicant petitions for a one month extension of time to January 21, 2006 to be charged to the deposit account 12-0913.. No other fees are believed due, please charge any overpayments or deficiencies to the Barnes & Thornburg LLP deposit account 12-0913 referencing docket number (34827-94607).

Respectfully Submitted,  
BARNES & THORNBURG LLP



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